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INFO RUEHZK/ECOWAS COLLECTIVE PRIORITY

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SIPDIS

SENSITIVE

DEPT FOR AF/W, AF/RSA, DRL AND INR/AA

E.O. 12958: N/A

TAGS: [PGOV](#) [PREL](#) [PINS](#) [KDEM](#) [ECON](#) [SG](#)

SUBJECT: WADE SEEKS TO EXTEND PRESIDENT'S TERM IN OFFICE

¶1. SBU) Summary: On July 11, the Legislation Committee of the National Assembly approved a draft constitutional Amendment that will extend the President's term from five to seven years. If approved by the Assembly plenary session in a week, it will still need to be passed by the Senate and subsequently by a Congress that will bring the two chambers together in a joint session. The draft presented to the Assembly does not indicate that the law is retroactive and therefore would not apply to President Abdoulaye Wade's current term. A senior PDS leader confirmed to Political Counselor that the change will not affect President Wade's current five-year term, due to end in 2012. END SUMMARY.

Back to square one

¶2. (SBU) When Wade was elected in 2000, the term was seven years. He reduced it in 2001 to five years through a new Constitution adopted by referendum. 2000 was a period of democratic euphoria when transparency and accountability were celebrated and a short term was believed to be more desirable. A year after his reelection in 2007, Wade has changed his mind. However, it not believed he is changing the term for his own benefit, to extend his current term. Instead, it is believed that by allowing his successor a seven-year term, he is seeking to impose a period of stability after he leaves power. A senior PDS leader told Political Counselor that Wade is concerned about impunity for him and his family after he leaves office.

Loopholes

¶3. (SBU) Several amendments constitutional to solve political problems have resulted in legal vacuums. Today there are at least five major constitutional amendments waiting to be ratified by the two chambers in Congress. Since the creation of the Senate in February 2007, the National Assembly and the Senate must first vote separately in favor of the proposed amendment and then meet in Congress in a join session to vote final approval of the measure. The two chambers have not met in Congress because the there are no laws or rules regarding how the Congress will operate. It is President Wade, and not the Constitution, who decided three days ago that the President of the Senate Pape Diop will chair the Congress. There is a legal vacuum as to whether the Congress can make amendments to laws being examined, all the Constitution states is that it passes laws by a majority of three fifths of its voting members. The entourage of the President of the National Assembly Macky Sall told Embassy that by choosing his friend Diop to chair the Congress Wade wishes to circumvent and further weaken Sall, Wade's former prime minister who has fallen out of favor, whom he does not wish to succeed him.

Comment

¶4. (SBU) The desire to seek impunity in view of all the allegationss of mismanagement and corruption under his tenure, seems to be a factor in Wade's succession strategy. In 2000 Wade's first

measure was to announce that he had pardoned his predecessor, President Diouf, and his family for any charges that could be leveled against them. A senior PDS leader told Embassy that that Idrissa Seck, who may well be next President through elections could offer pardon to Wade but definitely not to Wade's son Karim. In this regard, the amendment of Article seven may just be another step in Wade's strategy to orchestrate a succession that will appear legal while offering continuity of the system in place.

SMITH